

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Patent Application**

Applicant(s): Hiddink et al.

Case: 1-12

Serial No.: 10/670,747

Filing Date: September 25, 2003

Group: 2419

Examiner: Blanche Wong

Title: Method and Apparatus for Rate Fallback in a Wireless Communication System

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CERTIFICATION STATEMENT

The undersigned hereby certifies:

That no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

/Kevin M. Mason/

Date: June 11, 2009

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant's attorney wishes to bring to the attention of the Patent and Trademark Office the following document listed on the accompanying PTO Form 1449. Pursuant to 37 CFR §1.97(e)(1), each of the identified references were cited in a Japanese Office Action dated April 15, 2009 (i.e., not more than three months prior to the filing of this Information Disclosure Statement).

**U.S. Patent**

1. U.S. Patent No. 5,963,559

A copy of the listed item is enclosed.

**Foreign Documents**

2. JP 61054521
3. JP 9055871

In the event of any non-payment or improper payment of a required fee, the Commissioner is hereby authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or as an admission that the information cited is considered to be material to patentability or that no other material information exists.

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